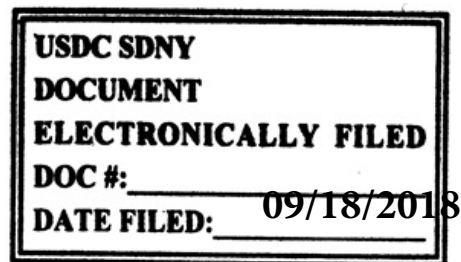


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



CITY OF ALMATY, KAZAKHSTAN,
and BTA BANK JSC,

Plaintiffs,

v.

MUKHTAR ABLYAZOV, ILYAS
KHRAPUNOV, VIKTOR
KHRAPUNOV, AND TRIADOU SPV
S.A.,

Respondent.

No. 15-cv-05345 (AJN) (KHP)

**[PROPOSED] ORDER
REGARDING AMENDMENT OF
LETTER OF REQUEST FOR
INTERNATIONAL JUDICIAL
ASSISTANCE FROM THE
MINISTRY OF JUSTICE OF THE
FRENCH REPUBLIC (ECF NO.
391)**

On August 2, 2017, a Hague Request was signed by United States District Judge Alison J. Nathan seeking the assistance of the Ministry of Justice of the French Republic in obtaining a deposition of Defendant Mukhtar Ablyazov. (ECF No. 391 at 168-70). On August 10, 2018, the undersigned issued an Order requiring Defendant Ablyazov to assist in the scheduling of his deposition. (ECF No. 813).

The Court is aware that a proceeding has been scheduled by the Tribunal de Grand Instance d'Aix-en-Provence for Thursday, September 20, 2018 in response to the Hague Request (International Rogatory Request No. 18/01). The parties seek to submit a revised request to Judge Nathan to ensure that any deposition of Defendant Ablyazov conforms, as close as is practicable, to the Federal Rules of Evidence and is taken in a form that will be admissible in United States courts. The parties further wish to continue the proceeding scheduled for

September 20, 2018 until Judge Nathan has reviewed the revised request. During a September 14, 2018 status conference, Defendant Ablyazov stated that he would make himself available for a deposition between October 12, 2018 and October 31, 2018.

For the reasons explained during the September 14, 2018 status conference, it is hereby ORDERED that the parties will not go forward with the proceeding scheduled for September 20, 2018 in Aix-en-Provence. In addition, it is ORDERED that the Plaintiffs will promptly submit an amended Hague Request to Judge Nathan, so that a new date for Defendant Ablyazov's deposition can be scheduled between October 12, 2018 and October 31, 2018.

It is further ORDERED that if Defendant Ablyazov is not deposed in France by October 31, 2018, for any reason, Defendant Ablyazov shall appear for a deposition in the United States or the United Kingdom no later than November 16, 2018.

SO ORDERED.

Date: September 18, 2018



The Honorable Katharine H. Parker
United States Magistrate Judge
United States District Court for the Southern
District of New York
500 Pearl St., Courtroom 17D
New York, New York 10007